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SEP 11 2006

Remarks/Arguments

In the June 12, 2006 Office Action, the Examiner rejected claims 1-12 and 17-20 pending in the application. Claims 1-12 and 17-20 (3 independent claims; 16 total claims) remain pending in the application. Applicant requests allowance of all pending claims in view of the following remarks.

§ 102 Rejections

Claims 1, 2, 8, and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Chen (5,288,070). The Office Action states that Chen discloses "a body combination having a body frame structure 10 defining an outer surface of the golf club head and encompassing a filler matrix 20 wherein the outer surface of the filler matrix is at least in partial contact with the inner surface of the body frame and the inner surface of the filler matrix defines a cavity...." Applicant respectfully traverses.

The reference does not disclose each and every element of the claims as recited. Chen's club is not hollow. (See Col. 2, lines 51-53.) This fact alone means Chen cannot anticipate the present invention as claimed. Chen discloses a golf club head with (1) an outer shell, (2) an inner shell, and (3) an internal cavity completely filled with an inner core without discontinuity. Moreover, the Examiner argues that Claims 1 or 8 of the present invention "do not require a filler matrix to completely fill the interior of the body without discontinuity." This is exactly the distinction Applicant has been attempting to make. Chen requires a filler matrix to completely fill the interior of the body without discontinuity. In contrast, Claims 1 and 8 recite an "inner surface of said filler matrix defin[ing] a cavity." In other words, the club is hollow. As such, Chen does not anticipate the present invention as claimed.

Additionally, the Examiner argues that "claim 8 only requires that the filler [matrix] fill an area defined by aperture and inner surface." Applicant has modified claims 1 and 8 by

inserting a comma so that the claims read "and a filler matrix which fills an area defined by said aperture, and inner surface of said filler matrix defines a cavity." The filler matrix "fills an area defined by said aperture, not "an area defined by aperture and inner surface," and the "inner surface of said filler matrix defines a cavity."

The Examiner also states that "the language of claim 8 does not require the opening to be closed by a filler matrix, only that the filler matrix extend to an area defined by the aperture" (emphasis added). Nowhere in claims 1 and/or 8 is the word "extend" used. As such, Applicant submits the Examiner reconsider the interpretation of the claims as presented. The ordinary meaning of the verb "fill" means "to occupy the whole of" or "to spread throughout" or "to engage or occupy completely." (The American Heritage Dictionary of the English Language, Fourth Edition.) In other words, the space left by the aperture is closed by the filler matrix. As such, Chen does not disclose each and every element of the present claims.

Claims 1, 2, 8, and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Lo (5,410,798). The Office Action is part states Lo discloses "a filler matrix 30 . . . the inner surface of the filler matrix defin[ing] a cavity." The Examiner argues "the bowl-shaped laminate is the filler matrix." Applicant traverses.

The reference does not disclose each and every element of the claims as presently recited. Lo discloses a bowl-shaped laminate member "having an open end adjacent to the open top portion of the metal hollow casing." After placement of the bowl-shaped member into the casing, a sheet of carbon fiber is placed over the opening. In other words, the bowl-shaped member and the sheet of carbon fiber are combined to define the inner cavity. In contrast, claim 1 and 8 recite an "inner surface of said filler matrix [which] defines a cavity." If the bowl-shaped laminate is considered the filler matrix, which Applicant does not concede it should be,

by Lo's own disclosure it is impossible for the bowl-shaped laminate member to define the inner cavity as presently claimed. The bowl-shaped laminate member is not, nor is it analogous to, the filler matrix. As such, Lo does not anticipate the present invention as claimed.

Accordingly, Applicant requests withdrawal of the § 102 rejections of claim 1 and 8 and 2 and 9 which depend therefrom.

§ 103 Rejections

Claims 3, 11, and 17-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lo (5,410,798) et al. in view of Anderson (5,094,383). Applicant respectfully traverses.

As stated above, Lo does not disclose a filler matrix as presently claimed. As such, there is no motivation or suggestion in either of the references to combine Anderson with Lo. Moreover, combining Anderson with Lo still does not disclose a fastening mechanism for attaching faceplates to a body combination comprising a body frame structure and a hollow filler matrix. Accordingly, Applicant requests that this § 103 rejection be withdrawn.

Claims 4 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lo (5,410,798) in view of Maxell (4,618,149). The Office Action states that although Lo does not disclose the type of fastening mechanism, Maxell discloses a club head wherein the faceplate is fastened to the body by removeable and reattachable fasteners making it obvious to attach the face plate to the body using such fasteners. Applicant respectfully traverses.

As stated above, Lo does not disclose a filler matrix as presently claimed. As such, there is no motivation or suggestion in either of the references to combine Maxell with Lo. Moreover, combining Maxell with Lo still does not disclose a fastening mechanism for attaching faceplates to a body combination comprising a body frame structure and a hollow filler matrix.

Accordingly, Applicant requests that this § 103 rejection be withdrawn.

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CONCLUSION

In view of the above remarks and amendments, Applicant respectfully submits that all of the currently pending claims 1-12 and 17-20 properly set forth that which Applicant regards as his invention and are allowable over the cited prior art.

Accordingly, Applicant respectfully requests reconsideration and allowance of all pending claims. The Examiner is invited to telephone the undersigned at (602) 382-6337 at the Examiner's convenience, if that would help further prosecution of the subject Application.

Applicant authorizes and respectfully requests that any fees due be charged to Deposit Account No. 19-2814. This statement does NOT authorize charge of the issue fee.

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Respectfully submitted,

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